

AN ORDINANCE

BY

Debi Starnes

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE VI, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA BY ADDING A NEW CODE SECTION 2-351, TO BE ENTITLED "AUTHORIZATION TO ISSUE COMMERCIAL PAPER NOTES;" TO PROVIDE THE PARAMETERS OF A COMMERCIAL PAPER PROGRAM; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, during its 2004 Session, the Georgia General Assembly enacted Senate Bill 514, which authorizes municipalities to issue commercial paper notes; and

WHEREAS, the issuance of commercial paper notes has the potential to save the City millions of dollars in interest on various long term capital projects; and

WHEREAS, the issuance of Commercial Paper notes could supplant the need to issue certain general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes or revenue anticipation certificates; and

WHEREAS, O.C.G.A. Section 36-82-240, *et seq.* sets forth safeguards and parameters for the issuance of Commercial Paper Notes; and

WHEREAS, the City of Atlanta could benefit from the use of Commercial Paper notes to finance significant capital projects in the City; and

WHEREAS, the Chief Financial Officer recommends that a Commercial Paper Program be established by the Atlanta City Council.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby ordains as follows:

Section 1. That Chapter 2, Article VI, Division 2 of the City of Atlanta Code of Ordinances be amended by adding a new Code Section 2-351, which shall read as follows:

Authorization to Issue Commercial Paper.

- (a) Whenever the City is authorized by law to issue bonds, notes or certificates, including but not limited to general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes, or revenue anticipation certificates, the Chief Financial Officer is authorized to issue Commercial Paper Notes in accordance with the provisions set forth in O.C.G.A. § 36-82-240, *et seq.*, as may be amended from time to time.
- (b) When the Chief Financial Officer deems that issuance of commercial paper is prudent for the undertaking of certain capital projects, the Council shall authorize the Chief Financial Officer to set the maturity dates, principal amounts, redemption provisions, interest rates and other terms and conditions, subject to the parameters established by Resolution of the City Council.
- (c) The Chief Financial Officer, in consultation with the City's Financial Advisors, is empowered to conduct the transaction of Commercial Paper Notes by competitive or negotiated sale in public offerings and private placements.
- (d) In addition to the criteria set forth in Code Section 2-323(i), the Chief Financial Officer shall also consider experience as potential underwriters/commercial paper dealers when choosing a financial institution(s) for tax-exempt Commercial Paper transactions.

Section 2. To the extent this ordinance is in conflict with any other ordinance, the provisions of this ordinance shall control the issuance of commercial paper.